

PATRICK LEMUEL BASS

Reg. No. 11872-002

Federal Correctional Complex - USP 2

PO Box 1034

Coleman, FL 33521-1034

Pro Se Petitioner

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DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

PATRICK LEMUEL BASS,  
Petitioner, )

v. )

Civil Action No. 3:07cv887-WHA

UNITED STATES OF AMERICA,  
Respondent. )

**MOTION TO COMPEL SERVICE OF AFFIDAVIT  
AND FOR EXTENSION OF TIME IN WHICH TO  
REPLY TO GOVERNMENT'S RESPONSE TO PETITIONER'S §2255 MOTION**

COMES NOW PETITIONER PATRICK LEMUEL BASS, IN PROPRIA personam, and hereby respectfully moves this Honorable Court to instruct the Clerk of the Court, or Christine A. Freeman, former counsel for petitioner, to provide petitioner with a copy of the affidavit Christine A. Freeman previously submitted, and to extend the time period in which petitioner may traverse the Government's response to his §2255 motion for at least 20 days beyond the date that a copy of Freeman's affidavit is provided to him. As grounds for this motion, petitioner states the following:

1.) In its ORDER of October 10, 2007 (Doc. No. 2), this Court instructed Christine A. Freeman, former counsel for petitioner,

to submit an affidavit addressing the ineffective assistance claims brought against her by petitioner in his §2255 motion, and to "furnish the United States Attorney and Bass with copies of her affidavit." (Id., page 4).

2.) Once again, on November 7, 2007, this Court instructed Freeman to submit an affidavit to the Court as described above, and to furnish a copy to petitioner. (Doc. No. 4).

3.) On November 21, 2007, the United States filed a response to petitioner's §2255 motion (Doc. No. 7), wherein the affidavit of Christine A. Freeman is discussed and its significance is argued by counsel for the Government. (Id., page 6).

4.) Petitioner has never received a copy of that affidavit from Christine A. Freeman, nor was a copy attached to the Government's response.

5.) On December 21, 2007, in this Court's ORDER ON MOTION, the Clerk of the Court was "DIRECTED to furnish a copy of Christine A. Freeman's affidavit (Doc. No. 5) to Petitioner." (Doc. No. 13, page 2).

6.) Petitioner has not received a copy of Christine A. Freeman's affidavit from the Clerk of the Court.

7.) At present, petitioner's reply to the Government's response to his §2255 motion is due March 7, 2008. However, petitioner cannot effectively reply to the Government's arguments without first reviewing the affidavit of Christine A. Freeman.

THEREFORE, PETITIONER HEREBY RESPECTFULLY REQUESTS THAT THIS Honorable Court issue another ORDER instructing the appropriate

party to furnish petitioner with a copy of Christine A. Freeman's affidavit (Doc. 5), and to extend the time in which petitioner may reply to the Government's response for such a period as is just and equitable.

RESPECTFULLY SUBMITTED THIS 25<sup>th</sup> DAY OF FEBRUARY, 2008.



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PATRICK LEMUEL BASS  
Reg. No. 11872-002  
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PO Box 1034  
Coleman, FL 33521-1034

In Pro Per

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing  
MOTION TO COMPEL SERVICE OF AFFIDAVIT AND FOR EXTENSION OF TIME  
IN WHICH TO REPLY TO GOVERNMENT'S RESPONSE TO PETITIONER'S  
\$2255 MOTION was mailed, First-Class postage prepaid, this 25<sup>th</sup>  
day of February, 2008, to:

**ANDREW O. SCHIFF**  
Assistant United States Attorney  
United States Attorney Office  
PO Box 197  
Montgomery, AL 36101-0197



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